



**FEDERAL ELECTION COMMISSION**  
WASHINGTON, D.C. 20463

**Timothy P. Doody, Firm Administrator**  
**Chaffe, McCall, Phillips, Toler & Sarpy, LLP.**  
2300 Energy Centre, 1100 Poydras Street,  
New Orleans, LA 70163-2300

**DEC 4 2006**

**RE: MUR 5652**  
**Chaffe, McCall, Phillips, Toler &**  
**Sarpy, LLP**

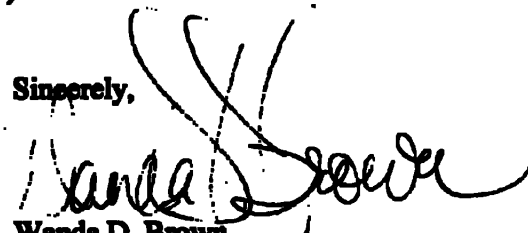
**Dear Mr. Doody:**

On November 7, 2006, the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted on your behalf in settlement of a violation of 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). Accordingly, the file has been closed in this matter as it pertains to Chaffe, McCall, Phillips, Toler & Sarpy, LLP.

The Commission reminds you that the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) still apply, and that this matter is still open with respect to other respondents. The Commission will notify you when the entire file has been closed.

Enclosed you will find a copy of the fully executed conciliation agreement for your files. If you have any questions, please contact me at (202) 694-1650.

Sincerely,

  
Wanda D. Brown  
Attorney

Enclosure  
Conciliation Agreement

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1 **BEFORE THE FEDERAL ELECTION COMMISSION**

2  
3 In the Matter of )

4 ) **MUR 5652**

5 Chaffe, McCall, Phillips, Toler )  
6 & Sarpy, L.L.P. )  
7

8  
9 **CONCILIATION AGREEMENT**

10  
11 This matter was initiated by the Federal Election Commission ("the Commission"),  
12 pursuant to information ascertained in the normal course of carrying out its supervisory  
13 responsibilities. The Commission found reason to believe Chaffe, McCall, Phillips, Toler &  
14 Sarpy, L.L.P. ("Respondent") violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal  
15 Election Campaign Act of 1971, as amended ("the Act").<sup>1</sup>

16 NOW THEREFORE, the Commission and Respondent, having participated in informal  
17 methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as  
18 follows:

19 I. The Commission has jurisdiction over Respondent and the subject matter of this  
20 proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C.  
21 § 437g(a)(4)(A)(i).

22 II. Respondent has had a reasonable opportunity to demonstrate that no action should  
23 be taken in this matter.

24 III. Respondent enters voluntarily into this agreement with the Commission.

25 IV. The pertinent facts in this matter are as follows:

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<sup>1</sup> The facts relevant to this matter occurred both prior to and after the effective date of the Bipartisan Campaign Reform Act of 2002 ("BCRA"), Pub. L. 107-155, 116 Stat. 81 (2002). Accordingly, the activity prior to BCRA is subject to the provisions of the Act as it existed at that time and the activity after BCRA is subject to the Act as amended by BCRA. However, the statutory provisions and Commission regulations at issue were not amended by BCRA in a manner relevant to the activity in this matter.

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1           1. Respondent is a limited liability partnership.

2           2. Terrell for Senate ("the Committee") is a political committee within the meaning of  
3   2 U.S.C. § 431(4) and is the principal campaign committee for Suzanne Haik Terrell.

4           3. Suzanne Haik Terrell was a candidate in three elections during 2002: a primary  
5   election held on August 23, 2002, a general election held on November 5, 2002, and a runoff  
6   election held on December 7, 2002.

7           4. A partnership is a "person" under the Act and thus may make federal political  
8   contributions. 2 U.S.C. § 431(11).

9           5. A contribution is a gift, subscription, loan, advance, deposit of money, or anything of  
10   value made by a person for the purpose of influencing any election for federal office. 2 U.S.C.  
11   § 431(8)(A). A person is prohibited from making contributions to any candidate and his or her  
12   authorized political committees with respect to any election for federal office, which, in the  
13   aggregate, exceed \$1,000.<sup>2</sup> 2 U.S.C. § 441a(a)(1)(A).

14          6. Respondent contributed \$2,000 to the Committee on October 29, 2002. Respondent  
15   did not designate in writing the particular election to which the contribution was to be applied. A  
16   contribution that is not designated in writing by the contributor for a particular election is applied  
17   to the next election for that candidate after the contribution is made. 11 C.F.R. § 110.1(b)(2)(ii).  
18   Accordingly, \$1,000 of Respondent's contribution was applied to the general election and \$1,000  
19   was applied to the runoff election.

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<sup>2</sup> The \$2,100 limitation on contributions made by individuals to candidates and their authorized committees does not apply to contributions made before January 1, 2003.

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1           7. On November 11, 2002, Respondent contributed an additional \$5,000 to the  
2 Committee. Again, Respondent did not designate in writing the particular election to which the  
3 contribution was to be applied. Because respondent previously contributed to the Committee the  
4 maximum amount allowed for the general and runoff elections, Respondent's \$5,000  
5 contribution to the Committee exceeded the Act's contribution limits.

6           V.       Respondent made \$5,000 in contributions to the Committee that exceeded the  
7 Act's contribution limits in violation of 2 U.S.C. § 441a(a)(1)(A). Respondent will cease and  
8 desist from any further violations of 2 U.S.C. § 441a(a)(1)(A).

9           VI.       Respondent will pay a civil penalty to the Federal Election Commission in the  
10 amount of Two Thousand, Five Hundred Dollars (\$2,500), pursuant to 2 U.S.C. § 437g(a)(5)(A).

11          VII.       The Commission, on request of anyone filing a complaint under 2 U.S.C.  
12 § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance  
13 with this agreement. If the Commission believes that this agreement or any requirement thereof  
14 has been violated, it may initiate a civil action for relief in the U.S. District Court for the District  
15 of Columbia.

16          VIII.       This agreement shall become effective as of the date that all parties thereto have  
17 executed same and the Commission has approved the entire agreement.

18          IX.       Respondent shall have no more than 30 days from the date this agreement  
19 becomes effective to comply with and implement the requirements contained in this agreement  
20 and to so notify the Commission.

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X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

Lawrence H. Norton  
General Counsel

BY:

Rhonda J. Vosdingh  
Rhonda J. Vosdingh  
Associate General Counsel  
for Enforcement

12/1/06  
Date

FOR RESPONDENT:

Timothy P. Doody  
Name TIMOTHY P DOODY  
Position FIRM ADMINISTRATOR

8/18/06  
Date

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